

DEC-26-2007 11:18

US ATTORNEY

212 637 0033 P.04

WAIVER OF SERVICE OF SUMMONS

TO: PIERRE G. ARMAND
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, NY 10007
Tel.: (212) 637-2724
Fax: (212) 637-2730

Deluxe Food Market, Inc., acknowledges receipt of your request that he waive service of a summons in the action of *United States v. Deluxe Food Market, Inc. and Ka Che*, which is case number 07 Civ. ___ (____) in the United States District Court for the Southern District of New York. Deluxe Food Market, Inc., also has received a copy of the complaint in the action, two copies of this instrument, and a means by which he can return the signed waiver to you without cost to me.

Deluxe Food Market, Inc., agrees to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that he be served with judicial process in the manner provided by Rule 4.

Deluxe Food Market, Inc., will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

Deluxe Food Market, Inc., understands that a judgment may be entered against him if an answer or motion under Rule 12 is not served upon you within 60 days after November __, 2007.

Dated: 12/31/07, 2007


Signature

Ka Che

Typed or Printed Name of Authorized
Representative or Attorney for
Deluxe Food Market, Inc.